

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)**Docket Number (Optional)
XUCSD.TBA

First named inventor: Varki, Ajit, et al.

U.S. Application No.: unassigned
(if known)

International (PCT) Application Number: PCT/US04/022415

Filed: 14-Jul-2004 (14.07.2004)

Title: Methods for Detecting and Analyzing N-Glycolylneuraminic Acid (NEU5GC) in
Biological MaterialsAttention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) (as applicable). The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Proper reply;
- (3) Terminal disclaimer with disclaimer fee—required for all international applications having an international filing date before June 8, 1995; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee☒ small entity – fee \$ 250.00 (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(l))**2. Proper reply**A. The proper reply (the missing 35 U.S.C. 371(c) requirements) in the form of
U.S. National Phase filing (identify the type of reply):☐ was previously filed on _____☒ is enclosed herewith.

01/26/2006 00000152 501330 10565742

04 PC#2452 250.00 DA

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This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8.0 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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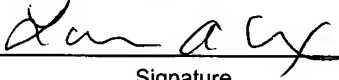
3. Terminal disclaimer with disclaimer fee

- ☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

- 4. An adequate showing of the cause of the delay, and that the entire delay in filing the 35 U.S.C. 371(c) requirements (or a continuing U.S. application) from their due date until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.**

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

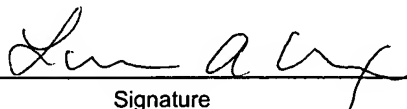
<p style="text-align: center;"></p> <p style="text-align: center;">_____ Signature AXFORD, Laurie</p>	<p style="text-align: center;">23-Jul-06</p> <p style="text-align: center;">_____ Date</p>
<p style="text-align: center;">_____ Typed or Printed Name GORDON & REES LLP</p>	<p style="text-align: center;">35,053</p> <p style="text-align: center;">_____ Registration Number, if applicable</p>
<p style="text-align: center;">_____ Address 101 West Broadway, Suite 1600 San Diego, California 92101</p> <p style="text-align: center;">_____ Address</p>	<p style="text-align: center;">619.230.7714</p> <p style="text-align: center;">_____ Telephone Number</p>

- Enclosures: ☐ Additional sheets containing statements establishing unavoidable delay
- ☒ Fee Payment
- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☒ Other (please identify): Return Post Card

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Docket Number (Optional)

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.



Signature

AXFORD, Laurie

23-Jan-06

Date

35,053

Typed or Printed Name

Registration Number, if applicable

(In the space provided below, please explain in detail why the 35 U.S.C. 371(c) elements (or continuing U.S. application) were not timely filed.)

SEE ATTACHED EXPLANATION (9 pages)